

PLANNING & DEVELOPMENT SERVICES DEPARTMENT REPORT

DATE: November 16, 2000

TO: Orange County Zoning Administrator

FROM: Planning and Development Services Department/Current Planning Services Division

SUBJECT: Public Hearing on Planning Application PA00-0088 for Coastal Development Permit

PROPOSAL: Additions to an existing two-story, 2,444 square feet (including garage) duplex. The proposed additions total 1,699 square feet and include: 512 square feet to the existing two-car garage to convert it to a four-car garage (two spaces in tandem); a new 594 square feet family room on the second story; and, new third story living area of 593 square feet including a bedroom and deck closet.

LOCATION: In the community of Sunset Beach, at 16801 14th Street. Second Supervisorial District

APPLICANT: Jerol Sonosky, property owner
Ron Hoover Architect, agent

STAFF CONTACT: William V. Melton, Project Manager
Phone: (714) 834-2541 FAX: (714) 834-4652

SYNOPSIS: Current Planning Services Division recommends Zoning Administrator approval of PA00-0088 for Coastal Development Permit subject to the attached Findings and Conditions of Approval.

BACKGROUND:

The project site is in the community of Sunset Beach and has a land use designation of SBR "Sunset Beach Residential". The site measures 30 feet by 90, which is a typical lot size through most of Sunset Beach. The SBR designation permits one single-family dwelling or one two-family dwelling per building site. The property fronts on 14th Street, with the rear property line on a 20 feet wide alley.

The site is developed with a two-story, two-family dwelling (duplex). One unit (Unit A) is 735 square feet and located on the ground floor along with a two-car garage. The second unit (Unit B) is 1,266 square feet and is located all on the second floor. The structure conforms to all setback and height standards, however, it is currently non-conforming because there are only two covered off-street parking spaces provided and four covered off-street parking spaces are required for a duplex. There is a parking space in front of the duplex on 14th Street, but it does not conform to County standards

To address the parking non-conformity, the applicant proposes to enlarge the garage in order to accommodate four vehicles with two of the four spaces in tandem (tandem parking is permitted in Sunset Beach). The garage enlargement will bring the garage to within 5 feet of the rear property line and the

alley right-of-way. Above the new garage addition, the applicant proposes to add a 593 square feet addition to Unit B on the second floor. Above that, a new third floor bedroom with bath is proposed, also for Unit B. In addition, the applicant proposes to add an enclosed closet on roof deck above the second floor.

SURROUNDING LAND USE: (assumes Pacific Coast Highway is a north/south road)

Direction	Land Use Designation	Existing Land Use
Project Site	SBR “Sunset Beach Residential”	Residential duplex
North	SBR “Sunset Beach Residential”	Residential
South	SBR “Sunset Beach Residential”	Residential
East	SBR “Sunset Beach Residential”	Residential
West	SBR “Sunset Beach Residential”	Residential

REFERRAL FOR COMMENT AND PUBLIC NOTICE:

A Notice of Hearing was mailed to all owners of record within 300 feet of the subject site. Additionally, a notice was posted at the site, at the 300 N. Flower Building and as required by established public hearing posting procedures. A copy of the planning application and a copy of the proposed site plan were distributed for review and comment to four County Divisions and the Sunset Beach LCP Review Board.

As of the writing of this staff report, no comments raising issues with the project have been received from other County divisions by staff.

CEQA COMPLIANCE:

The proposed project is Categorically Exempt (Class 1, repair or minor alteration of existing structures or facilities) from the requirements of CEQA. Appendix A contains the required CEQA Finding.

DISCUSSION/ANALYSIS:

The proposed additions to the duplex conform to all site development standards of the Sunset Beach Specific Plan/LCP, and would not normally require approval of a discretionary permit prior to construction. However, the subject property is in a Local Coast Program and subject to the additional standards of the State Coastal Act and the County CD “Coastal Development Permit” District Regulations, Zoning Code Section 7-9-118.

In the Sunset Beach LCP, the project site is shown within an “appealable development” area subject to Coastal Commission appeal procedures. Under the County CD regulations, additions to existing structures that are within an “appealable development” area are permitted, provided the additions do not exceed 10 percent of the square footage of the structure. Since the project site is within an appealable area and the proposed additions exceed 10 percent, a Coastal Development Permit is required prior to any construction of the proposed additions.

Staff did not identify any planning issues associated with this proposal in relation to the Coastal Act, the Sunset Beach SP/LCP or the Zoning Code. The proposal conforms to all relative site development regulation. The existing use of the property does not change with approval of this Coastal Development Permit. Approval of the proposal brings the project site into conformance with the off-street parking requirements. Staff supports this proposal and makes a recommendation as follows.

RECOMMENDED ACTION:

Current Planning Services Division recommends the Zoning Administrator:

- a. Receive staff report and public testimony as appropriate; and,
- b. Approve Planning Application PA00-0088 for Coastal Development Permit subject to the attached Findings and Conditions of Approval.

Respectfully submitted

C. M. Shoemaker, Chief
CPSD/Site Planning Section

WVM

Folder: D/Sunset Beach/PA00-0088 Staff 11-16-00

APPENDICES:

- A. Recommended Findings
- B. Recommended Conditions of Approval

EXHIBITS:

1. Applicant's Letter of Explanation
2. Site Plans and site photos

APPEAL PROCEDURE:

Any interested person may appeal the decision of the Zoning Administrator on this permit to the Orange County Planning Commission within 15 calendar days of the decision upon submittal of required documents and a filing fee of 760.00 filed at the Development Processing Center, 300 N. Flower St., Santa Ana.

In addition, this project is within the Coastal Zone and is an "appealable development". Approval of an appealable development may be appealed directly to the California Coastal Commission (telephone number 562-560-5071), in compliance with their regulations, without exhausting the County's appeal procedures.



Appendix A

Findings

PA000088

1	GENERAL PLAN	PA000088
That the use or project proposed is consistent with the objectives, policies, and general land uses and programs specified in the General Plan adopted pursuant to the State Planning and Zoning Law.		
2	ZONING	PA000088
That the use, activity or improvement(s) proposed, subject to the specified conditions, is consistent with the provisions of the Zoning Code, or specific plan regulations applicable to the property.		
3	COMPATIBILITY	PA000088
That the location, size, design and operating characteristics of the proposed use will not create unusual noise, traffic or other conditions or situations that may be objectionable, detrimental, or incompatible with other permitted uses in the vicinity.		
4	GENERAL WELFARE	PA000088
That the application will not result in conditions or circumstances contrary to the public health and safety and the general welfare.		
5	PUBLIC FACILITIES	PA000088
That the approval of the permit application is in compliance with Codified Ordinance Section 7-9-711 regarding public facilities (fire station, library, sheriff, etc.).		
6	COASTAL DEVELOPMENT PERMIT 1	PA000088
That the development project proposed by the application conforms with the certified Local Coastal Program.		
7	COASTAL DEVELOPMENT PERMIT 2	PA000088
That the project conforms with the public access and public recreation policies of the California Coastal Act.		
8	COASTAL DEVELOPMENT PERMIT 3	PA000088
That the approval of this application will result in no modification to the requirements of the certified land use plan.		
9	COASTAL DEVELOPMENT PERMIT 4	PA000088
That the approval of the application will result in a project which is in full compliance with the requirements of the certified land use plan.		
10	CATEGORICALLY EXEMPT	PA000088 (Custom)

That the proposed project is Categorically Exempt (Class 1, existing facilities) from the provisions of CEQA.



Appendix B

Conditions of Approval

PA000088

1 CP CP NA BASIC/ZONING REG PA000088

This approval constitutes approval of the proposed project only to the extent that the project complies with the Orange County Zoning Code and any other applicable zoning regulations. Approval does not include any action or finding as to compliance of approval of the project regarding any other applicable ordinance, regulation or requirement.

2 CP CP NA BASIC/TIME LIMIT PA000088

This approval is valid for a period of 24 months from the date of final determination. If the use approved by this action is not established within such period of time, this approval shall be terminated and shall thereafter be null and void.

3 CP CP NA BASIC/PRECISE PLAN PA000088

Except as otherwise provided herein, this permit is approved as a precise plan. If the applicant proposes changes regarding the location or alteration of any use or structure, the applicant shall submit a changed plan to the Director, PDS, for approval. If the Director, PDS, determines that the proposed change complies with the provisions and the spirit and intent of the approval action, and that the action would have been the same for the changed plan as for the approved plot plan, he may approve the changed plan without requiring a new public hearing.

4 CP CP NA BASIC/COMPLIANCE PA000088

Failure to abide by and faithfully comply with any and all conditions attached to this approving action shall constitute grounds for the revocation of said action by the Orange County Planning Commission.

5 CP CP NA BASIC/OBLIGATIONS PA000088

Applicant shall defend at his/her sole expense any action brought against the County because of issuance of this permit. Applicant shall reimburse the County for any court costs and attorneys fees that the County may be required to pay as a result of such action. The County may, at its sole discretion, participate in the defense of any action, but such participation shall not relieve applicant of his/her obligations under this condition.

6 CP CP NA BASIC/APPEAL EXACTIONS PA000088

Pursuant to Government Code Section 66020, the applicant is hereby informed that the 90-day approval period in which the applicant may protest the fees, dedications, reservations or other exactions imposed on this project through the conditions of approval has begun.

7 F F SB ARCHITECTURAL BUILDING PLANS PA000088 (Custom)

Prior to the issuance of a building permit, the applicant shall submit plans for the review and approval of the Fire Chief as indicated on the OCFA Plan Submittal Criteria form. Call the OCFA at (714) 744-0403 for a copy the Fire Safety Site/Architectural Notes to be placed on the plans prior to submittal.

8 **SG SG G**

GEOLOGY REPORT

PA000088 (Custom)

If a grading permit is required, then prior to the issuance of a grading permit, the applicant shall submit a geotechnical report to the Manager, Subdivision and Grading, for approval. The report shall include the information and be in the form as required by the Grading Manual.

9 **BP BP B**

CONSTRUCTION NOISE

PA000088 (Custom)

A. Prior to the issuance of building permit, the project proponent shall produce evidence acceptable to the Manager, Building Permit s Services, that:

(1) All construction vehicles or equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers.

(2) All operations shall comply with Orange County Codified Ordinance Division 6 (Noise Control).

B. Notations in the above format, appropriately numbered and included with other notations on the front sheet of the project's permitted building plans, will be considered as adequate evidence of compliance with this condition.

10 **SG SG G**

SIGHT DISTANCE

PA000088

Prior to the issuance of any grading permits, the applicant shall provide adequate sight distance per Standard Plan 1117 at all street intersections, in a manner meeting the approval of the Manager, Subdivision and Grading. The applicant shall make all necessary revisions to the plan to meet the sight distance requirement such as removing slopes or other encroachments from the limited use area in a manner meeting the approval of the Manager, Subdivision and Grading Services.